

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-27, 29, 30, 32, 33, 35, 36 and 38-40 remain pending. Claims 1-27, 29-30, 32-33, 35-36 and 38-40 have been rejected.

Claims 1, 2, 5, 8, 9, 12, 15, 16, 21, 22, 25, 27, 29, 30, 32, 33, 35, 36, and 38 have been amended. No claims have been cancelled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicant submits that the amendments do not add new matter.

Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

Claims 1-27, 29-30, 32-33, 35-36 and 38-40 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Adobe After Effect Version 4.0 of 07/15/1999 (“After-Effects”) in view of U.S. Patent No. 5,919,249 to Herbstman et al. (“Herbstman”).

Amended claim 1 includes “determining whether a original frame of the time based stream of information requires one or more modifications that include adding an edit feature to the original frame, to create a revised frame, and storing the one or more modifications in a file for the revised frame; if it is determined that the original frame requires the one or more modifications, automatically creating a proxy of the revised frame while rendering the one or more modifications to the original frame, the proxy including a simulation of the one or more modifications that include the edit feature to the original frame; sending the proxy to a display device; displaying, by the display device, the proxy of the revised frame during the rendering the modifications to the original frame; and if it is determined that the original frame does not require the modification, displaying the original frame of the time based stream of information.”(emphasis added)

After-Effects discloses “create... a proxy ...of the original footage (p. 9, emphasis added). In particular, the portion of the After-Effects referred to by the Examiner discloses the following:

When you use the ActHIR.mov file in a composition, After Effects will use the proxy for display. Effects and properties applied to the proxy are applied to the actual footage when the movie is rendered with Use No Proxies selected from the Proxy Use menu in the Render Settings dialog box. Even though the proxy is 512x384, it behaves as if it's 2048 x 1536 in the composition.

(After-Effects, page 12, lines 1-4) (emphasis added)

Thus, the portion of After-Effects referred to by the Examiner discloses creating the proxy of the original footage, and applying the effects and properties to the proxy of the original footage. In contrast, amended claim 1 refers to creating a proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of an edit feature to the original frame. Further, After-Effect merely discloses that “effects and properties applied to the proxy are applied to the actual footage.” After-Effect does not disclose automatically creating a proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame, as recited in amended claim 1.

Further, the portion of the After-Effect referred to by the Examiner (p. 12, lines 1-2) merely discloses “when you use the ActHIR.mov file in a composition, After Effects will use the proxy for display.” In contrast, amended claim 1 refers to displaying, by the display device, the proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit

feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame.

Herbstman, in contrast, discloses “Proxy use determines whether proxies will be used when rendering. Proxies are representations of footage items in outline form. Proxies allow for quicker rendering of compositions by eliminating the need to manipulate the pixel data for a piece of footage.”(col. 4, lines 13-18) (emphasis added). More specifically, the portion of Herbstman referred by the Examiner, in contrast, discloses “... the creation of formatted frames from the master frame based on the output format definitions may be performed in parallel.” (col. 6, lines 44-47) (emphasis added).

Thus, Herbstman merely discloses using proxies when rendering and creating the formatted frames in parallel. In contrast, amended claim 1 refers to creating a proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame.

Further, Herbstman fails to disclose, teach, or suggest displaying, by the display device, the proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame, as recited in amended claim 1.

Furthermore, even if After-Effects and Herbstman were combined, such a combination would still lack automatically creating a proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame, as recited in amended claim 1.

Furthermore, even if After-Effects and Herbstman were combined, such a combination would still lack displaying, by the display device, the proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame, as recited in amended claim 1.

Therefore, applicant respectfully submits that claim 1, as amended, is not obvious under 35 U.S.C. § 103(a) over After-Effects in view of Herbstman.

For at least the reasons that are similar to those reasons as set forth above with respect to amended claim 1, applicant respectfully submits that claims 2-27, 29-30, 32-33, 35-36 and 38-40 are not obvious under 35 U.S.C. § 103(a) over After-Effects in view of Herbstman.

Claims 1-27, 29-30, 32-33, 35-36 and 38-40 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over After-Effects in view of U.S. Patent No. 6,215,485 to Phillips (“Phillips”).

Phillips, in contrast, discloses applying the special effects rendered using low resolution proxy images, to the high-resolution images (col. 10, lines 5-20). In contrast, amended claim 1 refers to creating a proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame.

Further, the portion of Phillips referred to by the Examiner (col. 12, lines 28-51) discloses viewing the special effects displayed in the low-resolution images. Phillips fails to disclose, teach, or suggest displaying, by the display device, the proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while

rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame, as recited in amended claim 1.

As set forth above, After-Effects fails to disclose the set forth above limitations of amended claim 1.

Furthermore, even if After-Effects and Phillips were combined, such a combination would still lack creating a proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame, as recited in amended claim 1.

Furthermore, even if After-Effects and Phillips were combined, such a combination would still lack displaying, by the display device, the proxy of a revised frame, wherein the proxy of the revised frame includes a simulation of the edit feature to the original frame while rendering the one or more modifications to the original frame, wherein the one or more modifications include adding the edit feature to the original frame, as recited in amended claim 1.

Therefore, applicant respectfully submits that claim 1, as amended, is not obvious under 35 U.S.C. § 103(a) over After-Effects in view of Phillips.

For at least the reasons that are similar to those reasons as set forth above with respect to amended claim 1, applicant respectfully submits that claims 2-27, 29-30, 32-33, 35-36, and 38-40 are not obvious under 35 U.S.C. § 103(a) over After-Effects in view of Phillips.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 022666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: September 23, 2009

By: /Tatiana Rossin/
Tatiana Rossin
Reg. No.: 56,833

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
(408) 720-8300

Customer No. 045217